

~~EASEMENT~~

Declaratory
~~Improvement~~ Res. No. 1199-1966

For the Vacation of Banks Avenue from
the east property line of Catalpa Street
to the west property line of Bright Street.

Resolution Adopted: Dec. 6, 1966

Confirmed: Jan. 5, 1967

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

April 20, 1967

B.O. 65-'66

DECLARATORY RESOLUTION NO. 1199-1966

For the Vacation of Banks Avenue from the east property line of Catalpa Street to the west property line of Bright Street.

PLANS ORDERED:

ADOPTED: Dec. 6, 1966

ADVERTISE NOTICE TO PROPERTY OWNERS: Dec. 12 & 19, 1966
Notices mailed Dec. 15, 1966

HEARING ON CONFIRMATION: Thurs., Jan. 5, 1967, 3:30 p. m.

CONFIRMED: Jan. 5, 1967

ASSESSMENT ROLL ORDERED: Jan. 5, 1967

ASSESSMENT ROLL APPROVED: March 30, 1967

HEARING ON CONFIRMATION
OF ASSESSMENT ROLL: Thurs., April 20, 1967, 3:30 p. m.

NOTICE SERVED: April 6, 1967

ASSESSMENT ROLL CONFIRMED: April 20, 1967

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of Banks Avenue from the east property line of Catalpa Street to the west property line of Bright Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Banks Avenue from the east property line of Catalpa Street to the west property line of Bright Street.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 9 and 10, Creed T. Banks Subdivision. Said addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described ~~vacation~~ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewer water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the southeast quarter of Section Nine, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 6

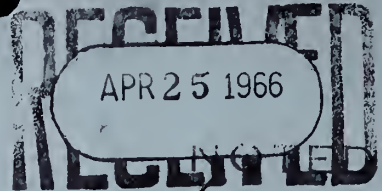
DAY OF December 1966

Attest:

Secretary Board of Public Works.

Board of Public Works.

PETITION



Fort Wayne, Ind.,

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

☒ F.S.E.
☐ R.W.D.
☐ G.F.G.

1965

The undersigned, owners of real

estate on _____, from

_____ to _____

respectfully petition for the passage of a resolution providing for the vacation of Banks Avenue from the east property line of Catalpa Street to the west property line of Bright Street.

NAME

ADDRESS

PETITIONER

x *Hansch F. Zacher*
x *Bernard J. Frankston*
x *Lester E. Frankston*

*Notify him of the date of
Hearing.*

*notify: Marvin S. Cull Atty
814 Anthony Wayne Bank
742-2281*

TO THE CITY PLAN COMMISSION OF FORT WAYNE:

1. Come now the undersigned petitioners and would show to the Commission that they are the owners of the following real estate in the City of Fort Wayne, to-wit:

Lots 4 through 16 both inclusive in Creed T.Banks subdivision to the City of Fort Wayne and Lot Five Part E of Bright Street Exp. N.136.76' also in Creed T.Banks Subdivision to the City of Fort Wayne

2. That on the plot of said Creed T.Banks Subdivision Bright Street and Banks Avenue are laid out therein.

3. That your petitioners own land adjoining Bright Street and Banks Avenue.

4. That the streets sought to be vacated are legally described as follows, to-wit:

The vacation of Bright Street from the northwesterly right of way line of the Norfolk & Western Railway Co. to the south property line of Ontario Street;

Also, vacation of Banks Avenue from the east property line of Catalpa Street to the west property line of Bright Street, all of the streets sought to be vacated lie entirely within Creed T. Banks Subdivision to the City of Fort Wayne.

5. That the streets sought to be vacated as described herein have never been used, developed, cut through or confirmed as a public right of way.

WHEREFORE, your petitioners who are the owners of adjoining real estate to the streets sought to be vacated, pray and ask that the streets previously described herein be cancelled and vacated.

Lester E. Frankenstein
Lester E. Frankenstein

Bernard J. Frankenstein

Hannah F. Zacher
Hannah F. Zacher

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

50-222-1

B.O. 65-'66

Date Jan. 6, 1967

To City Engineer

Subject Dec. Res. No. 1199-1966 Banks Ave.

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

NOTED

☐ F.S.E.
☒ R.W.D.
☐ G.F.G.

Date _____

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

lc
attach Reso. & P. O. List

Signed _____

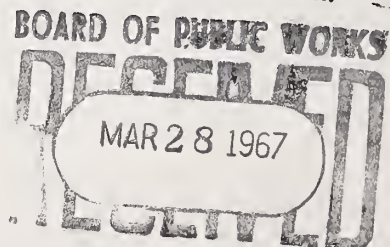
Reply:

March 28, 1967

Assessment roll of benefits and damages completed and attached.

Walter H. Meitz - D.E.
Walter H. Meitz
City Engineer

DEB:lc
attach.



Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

ENGINEERING DEPARTMENT
DEPARTMENT OF STREETS



FORT WAYNE 2, INDIANA

49-203-8

Date April 26, 1966

B.O. 65-'66

To City Engineer

Subject Vacation - Banks Avenue

Received a petition for the vacation of Banks Avenue from the east property line of Catalpa Street to the west property line of Bright Street.

Prepare an opinion, after conferring with all Governmental Agencies and utilities.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
attach copy of petition

(DUPLICATE - ORIGINAL DESTROYED IN THIS OFFICE)

NOTED
☒ F.S.E.
☒ R.W.D.
☐ G.F.G.
Date _____

Signed _____

Reply:

1199

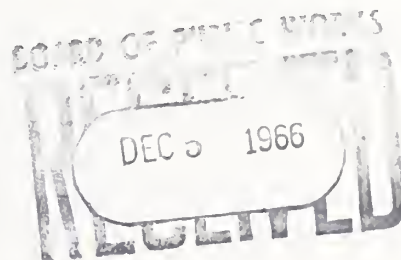
December 2, 1966

Declaratory Resolution, drawing and property ownership list completed and attached.

There is no objection to this vacation from an engineering standpoint.

Walter H. Meitz
City Engineer

DEB:lc
attachs.



Signed _____

SENDER: REMOVE & KEEP 3RD COPY—RECEIVER: ANSWER & KEEP 2ND COPY—RETURN 1ST COPY

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, December 15, 1966

To: ~~Frankenstein, Bernard J. & Lester E. & Zacher, Hannah F.~~
716 South Barr Street
Fort Wayne, Indiana

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did
~~Declaratory~~
pass ~~Improvement~~ Resolution No. 1199-1966
providing for the

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed Thursday, Jan. 5, 1967, at 3:30 p. m.
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Board of Public Works, City of Ft. Wayne
(Governmental Unit)

To: NEWS-SENTINEL Dr.

23 1966

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

3

39

5

47

COMPUTATION OF CHARGES

47 lines, columns wide equals equivalent lines at .226¢
cents per line

\$ 10.62

Additional charge for notices containing rule and figure work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 10.62

DATA FOR COMPUTING COST

Width of single column 11½ ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date December 20, 1966

Title SECRETARY-TREASURER

NOTICE TO PROPERTY OWNERS
DECLARATORY RESOLUTION

No. 1199-1966

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Banks Avenue from the east property line of Catalpa Street to the west property line of Bright Street.

All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacation shall be assessed against the property beneficially affected thereby.

DECLARATORY RESOLUTION

No. 1200-1966

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Bright Street from the northwesterly right of way line of the Norfolk and Western Railway Company to the south property line of Ontario Street.

All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacation shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed Thursday, the 5th day of January, 1967, as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m. the Board will meet at its office for the purpose of taking final action thereon.

FRED S. EHRLMAN,
ROBERT W. DAHMAN,
GEORGE F. GABLE,
Board of Public Works

12-12-19 ATTEST: Kenneth McGraw, Clerk.

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned MARTHA L. BRANNING who, being duly sworn, says that S/he is SECRETARY-TREASURER of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, s, the dates of publication being as follows:

December 12, 1966

December 19, 1966

Subscribed and sworn to before me this 20th day of December 1966

Edith Stapleton
Notary Public

My commission expires March 8, 1970

Claim No. Warrant No.

IN FAVOR OF

\$

On Account of Appropriation for

Appropriation No.

Allowed , 19

In the sum of \$

GARRETT CLIPPER, Garrett, Ind.

I have examined the within claim and hereby certify as follows:
That it is in proper form.
That it is duly authenticated as required by law.
That it is apparently } Correct
 } Incorrect

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

.....195.....

TABLE SHOWING PRICE PER LINE AND PER INSERTION FOR

Size of Type	11½ Em Column (138 Points)			
	Number of Insertions			
	1	2	3	4
5½	.151	.226	.301	.376
6	.138	.207	.276	.345
7	.118	.177	.237	.296
7½	.11	.166	.221	.276
8	.104	.155	.207	.259
9	.092	.138	.184	.23
10	.083	.124	.166	.207
12	.069	.104	.138	.173

Note: Above table is based on a square of 250 ems.

Board of Public Works, City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines _____

Head number of lines _____ 3

Body number of lines _____ 39

Tail number of lines _____ 5

Total number of lines in notice _____ 47

COMPUTATION OF CHARGES

47 lines, _____ columns wide equals _____ equivalent lines at 22¢
cents per line \$ 10.62

Additional charge for notices containing rule and figure work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) _____

TOTAL AMOUNT OF CLAIM \$ 10.62

DATA FOR COMPUTING COST

Width of single column 11½ ems Size of type 5½ point

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Pursuant to the provision and penalties of Ch. 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date December 20, 1966

Title ASSISTANT SECRETARY

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARNOLD F. SCHERER who, being duly sworn, says that he is ASSISTANT SECRETARY of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 3, the dates of publication being as follows:

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Notary Public

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DECLARATORY RESOLUTION
No. 1199-1966

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All as shown by a plan of such proposed Vocation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

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FRED S. EHRLMAN,
ROBERT W. DAHMAN,
GEORGE F. GABLE,
Board of Public Works
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Claim No..... Warrant No.....

IN FAVOR OF

\$.....

On Account of Appropriation for

Appropriation No.....

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9	.092	.138	.184	.23
10	.083	.124	.166	.207
12	.069	.104	.138	.173

Note: Above table is based on a square of 250 ems.



STREETS TO BE VACATED

ONTARIO

STREET

25

50

50

68.38

268.5

18

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17

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16

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15

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14

SUB.

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13

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12

BANKS

82.22 68.38

11

10

VACATED

50

STREET

STREET

LOT 5

CREED T. BANKS ADD.

CITY ENGINEER

AUG., 1966

1199

VACATED

50

60 BANKS AVE.

82.22

268.5

9

T.

68.38

8

"

7

"

6

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5

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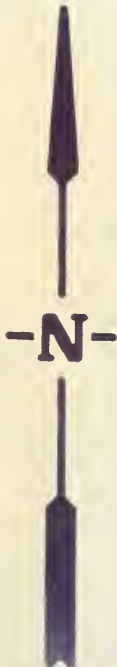
68.38

3

CATALPA

BRIGHT

NORFOLK & WESTERN RAILWAY CO.



Improvement Resolution No. ¹¹⁹⁹ - 1966 For THE VACATION OF BANKS AVENUE FROM THE EAST PROPERTY

LINE OF CATALPA STREET TO THE WEST PROPERTY LINE OF BRIGHT STREET.

	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O. L.	
1	FRANKENSTEIN, BERNARD J. & LESTER	716 CO. TEN ST G. & EACHER, HANNAH	F. 9			CREED T. BANKS SUB.
2	" "	" "	10			" "
3						
4						
5						
6	NOTICES MAILED OR SERVED					
7	Dec. 15 1966					
8	by J. Chase					
9						
10						
11						
12	APPROVED AS TO FORM AND LEGALITY					
13						
14	BY ATTORNEY					
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TOTAL						

1199